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9 Attorneys for Plaintiff Abhinav Bhatnagar

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 ABHINAV BHATNAGAR,	})	Case No.: Case No. CV07-02669 (CRB)
13                          Plaintiff,	})	
14                          vs.	})	<b>AFFIDAVIT OF JENNY HUANG</b>
15 JASON INGRASSIA, individually and in	})	<b>IN SUPPORT OF PLAINTIFF'S</b>
16 his official capacity; COUNTY OF	})	<b>REPLY MOTION IN LIMINE</b>
17 CONTRA COSTA; and CITY OF	})	
18 SAN RAMON.	})	
19                          Defendants.	)	

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20 I, JENNY HUANG, state under penalty of perjury as follows:

21 1. I am counsel for Plaintiff Abhinav Bhatnagar in the above-referenced action. I  
 submit this affidavit in support of Mr. Bhatnagar's reply motion *in limine* seeking to admit  
 evidence of prior judicial findings against the Defendants in this case.

22 2. On March 14, 2008, I filed Plaintiff's Notice of Motion *In Limine*, which  
 inadvertently listed Mr. Foley's sworn statement as evidence for which Plaintiff seeks an *in*  
*limine* ruling. (Plaintiff's Notice of Plaintiff's Motion *In Limine*, filed on 3/14/08, at 2:15-17.)

3. On March 17, 2008, I e-mailed opposing counsel and informed them of the erroneous inclusion of Mr. Foley's sworn statement in the Notice of Motion. I further informed opposing counsel that because Plaintiff did not brief any argument on the admissibility of this sworn statement, we would not seek an *in limine* ruling from the court on this statement for the purposes of the present motion.

4. On April 11, 2008, I phoned the Clerk's Office of the Contra Costa County Superior Court in Walnut Creek. I asked the court clerk whether there was any indication in the docket for *People v. Bhatnagar*, Case No. 127484-4 that the prosecution sought review of Judge Treat's suppression order dated November 27, 2006. After reviewing the docket, the case file, and all minute orders subsequent to November 27, 2006, the clerk confirmed that the District Attorney's Office did not seek any further review of Judge Treat's suppression order dated November 27, 2006.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 11, 2008 in Oakland, California.

/s/ Jenny Huang  
JENNY HUANG